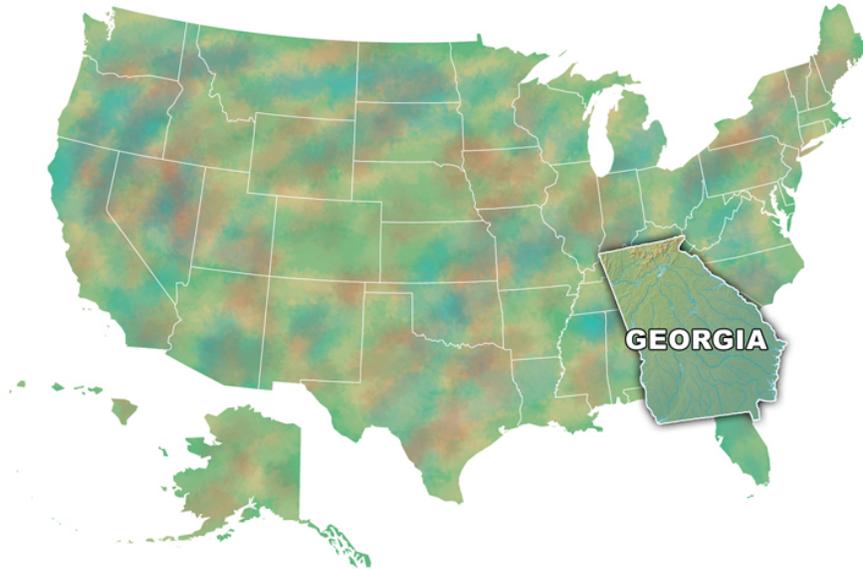


State Report

Georgia

This document is excerpted from:

The June 2015 Report to Congress on the Prevention and Reduction of Underage Drinking



Georgia

State Profile and Underage Drinking Facts*

State Population: 9,919,945
 Population Ages 12–20: 1,230,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	21.7	267,000
Past-Month Binge Alcohol Use	13.5	166,000
Ages 12–14		
Past-Month Alcohol Use	4.8	19,000
Past-Month Binge Alcohol Use	1.7	7,000
Ages 15–17		
Past-Month Alcohol Use	20.2	88,000
Past-Month Binge Alcohol Use	12.2	53,000
Ages 18–20		
Past-Month Alcohol Use	39.2	160,000
Past-Month Binge Alcohol Use	26.0	106,000
Alcohol-Attributable Deaths (under 21)		149
Years of Potential Life Lost (under 21)		9,030
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	20.0	32

* See Appendix C for data sources.

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited with the following exception(s):

- Parent/guardian’s home AND
- Parent/guardian

Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Underage Purchase of Alcohol

Purchase is prohibited and there is no allowance for youth purchase for law enforcement purposes.

False Identification for Obtaining Alcohol

Provision(s) targeting minors

- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver’s license suspension through a judicial procedure.

Provision(s) targeting retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- Retailers are permitted to seize apparently false IDs.
- Specific affirmative defense—the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid.

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

Use/lose penalties apply to minors under age 21.

Type(s) of violation leading to driver’s license suspension, revocation, or denial

- Underage purchase

Authority to impose driver’s license sanction

- Mandatory

Length of suspension/revocation

- 180 days

Graduated Driver’s License

Learner stage

- Minimum entry age: 15
- Minimum learner stage period: 12 months
- Minimum supervised driving requirement: 40 hours, of which 6 must be at night

Intermediate stage

- Minimum age: 16
- Unsupervised night driving
 - Prohibited after: 12 a.m.
 - No primary enforcement of the night-driving rule
- Passenger restrictions exist: First 6 months, immediate family only. Second 6 months, no more than one passenger under 21 who is not immediate family. After 1 year, no more than three passengers under 21 who are not immediate family
 - No primary enforcement of the passenger-restriction rule

License stage

- Minimum age to lift restrictions: 18

Laws Targeting Alcohol Suppliers

Furnishing of Alcohol to Minors

Furnishing is prohibited with the following exception(s):

- Parent/guardian’s home AND
- Parent/guardian

Compliance Check Protocols

No data

Penalty Guidelines for Sales to Minors

No data

Responsible Beverage Service

No beverage service training requirement

Minimum Ages for Off-Premises Sellers

- Beer: Not specified
- Wine: Not specified
- Spirits: Not specified

Minimum Ages for On-Premises Sellers

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

Distance Limitations for New Alcohol Outlets near Universities and Schools

Colleges and universities

- Limitations on outlet siting:
 - Off-premises outlets: Yes—within 100 yards for wine and beer; within 200 yards for spirits. Local government has the authority to override state restrictions for wine and beer for grocery stores.
 - On-premises outlets: Yes—within 100 yards for wine and beer; within 200 yards for spirits. Local government has authority to override state restrictions.
 - Alcohol products: Beer, wine, spirits.

Note: Exceptions include (1) hotels of more than 50 rooms; (2) bona fide private clubs.

Primary and secondary schools

- Prohibitions against outlet siting:
 - Off-premises outlets: Yes—within 100 yards for wine and beer; within 200 yards for spirits.
 - On-premises outlets: Yes—within 100 yards for wine and beer; within 200 yards for spirits. Local government has authority to override state restrictions.
 - Alcohol products: Beer, wine, spirits

Note: Exceptions include (1) hotels of more than 50 rooms; (2) bona fide private clubs.

Dram Shop Liability

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Furnishing with knowledge that customer was a minor and would soon be operating a motor vehicle.

Social Host Liability Laws

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Furnishing with knowledge that customer was a minor and would soon be operating a motor vehicle.

Host Party Laws

No state-imposed liability for hosting underage drinking parties

Retailer Interstate Shipments of Alcohol

Retailer interstate shipments are prohibited for all types of beverages.

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

Age verification requirements

- Producer must verify age of purchaser.

State approval/permit requirements

- Producer/shipper must obtain state permit.

Reporting requirements

- Producer must record/report purchaser's name.

Shipping label statement requirements

- Contains alcohol
- Recipient must be 21

Note: Wineries that hold a federal basic wine manufacturing permit, regardless of whether they are licensed by the state of Georgia, may also ship wines directly to consumers. The consumer must purchase the wine while physically present on the premises of the winery, and the winery must verify that the consumer is of the age to do so.

Keg Registration

- Keg definition: More than 2 gallons
- Prohibited:
 - Possessing an unregistered, unlabeled keg—maximum fine/jail \$1,000/12 months
 - Destroying the label on a keg—maximum fine/jail \$1,000/12 months
- Purchaser information collected:
 - Purchaser's name and address
 - Verified by a government-issued ID
 - Address where keg will be consumed
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit: Not required
- Provisions do not specifically address disposable kegs

Note: Although Georgia does not require a retailer to record the number of a keg purchaser's ID, it does require the retailer to record the form of identification presented by the purchaser, as well as the purchaser's name, address, and date of birth.

Home Delivery

- Beer: Prohibited
- Wine: Prohibited
- Spirits: Prohibited

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$1.01 per gallon

Note: \$0.32 per gallon for malt beverages sold in barrels or bulk containers containing not more than 31 gallons, and \$0.39 per gallon on barrels or bulk containers of 15.5 gallons or less.

Wine (12 percent alcohol)

- Specific excise tax: \$0.42 per gallon
- Additional taxes: Georgia imposes an additional tax of \$1.10 per gallon on the “importation for use, consumption, or final delivery” into the state of all wines with an alcohol content of 14 percent or less.

Spirits (40 percent alcohol)

- Specific excise tax: \$1.89 per gallon

Note: Georgia imposes an additional tax of \$1.89 per gallon on the “importation for use, consumption, or final delivery” into the state of all distilled spirits.

Drink Specials

No law

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Price posting requirements: Post and hold—180 days minimum
- Retailer credit: Not permitted—if retailer owns more than one business and payment is made from a central office, then credit not to exceed 5 days after delivery and invoice.

Wine (12 percent alcohol)

- Retailer credit: Not permitted

Spirits (40 percent alcohol)

- Price posting requirements: Post and hold—14 days minimum
- Retailer credit: Not permitted

Georgia State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Georgia Department of Revenue Alcohol and Tobacco Division	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shippments of alcohol to minors	Georgia Dept. of Revenue Alcohol and Tobacco Div.
Such laws are also enforced by local law enforcement agencies	No
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by state law enforcement agencies	Yes
	7
Number pertains to the 12 months ending	6/30/2012
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of retail licensees in state ³	17,000
Number of licensees checked for compliance by state agencies (including random checks)	5,343
Number of licensees that failed state compliance checks	617
Numbers pertain to the 12 months ending	6/30/2012
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts random underage compliance checks/decoy operations</i>	
Number of licensees subject to random state compliance checks/decoy operations	Yes
	5,343
Number of licensees that failed random state compliance checks	617
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	No
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
	No
Number of fines imposed by the state ⁴	Not applicable
Total amount in fines across all licensees	Not applicable

Smallest fine imposed	Not applicable
Largest fine imposed	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	No
Number of suspensions imposed by the state ⁵	Not applicable
Total days of suspensions across all licensees	Not applicable
Shortest period of suspension imposed (in days)	Not applicable
Longest period of suspension imposed (in days)	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	No data
Number of license revocations imposed ⁶	No data
Numbers pertain to the 12 months ending	No data
Additional Clarification	
A breakdown of the fines imposed on all alcohol business is not available. However, the state collected a total of \$1,075,837 in fines against alcohol business overall for violations of the revenue regulations and/or state laws.	

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State	
Georgia Strategic Prevention System (GASPS) – Alcohol Initiative	
Program serves specific or general population	No data
Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	http://www.ga-sps.org
Program Description: To address the negative impact of alcohol use in Georgia, the state Office of Prevention Services and Programs (OPSP) has developed GASPS. This initiative aims to affect population-level change of behaviors and trends of alcohol use and abuse among youth and young adults ages 9 to 25 years. GASPS will use the SAMHSA CSAP Strategic Prevention Framework (SPF) model to develop and implement strategies aimed at population-level change using the public health model approach. The objective of this initiative is to implement statewide primary prevention strategies (programs, practices, policies) consistent with needs as identified by epidemiological data, with the following goals: (1) reduce early onset of alcohol use in 9- to 20-year-olds, (2) reduce access to alcohol and binge drinking in 9- to 20-year-olds, and (3) reduce binge drinking and heavy drinking in 18- to 25-year-olds. Currently, 38 providers with 51 contracts across the state are completing this initiative.	

Additional Underage Drinking Prevention Programs Operated or Funded by the State	
No data	
URL for more program information: No data	
Program description: No data	

Additional Clarification	
No data	

Additional Information Related to Underage Drinking Prevention Programs	
<i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i>	No recognized Tribal governments
Description of collaboration: Not applicable	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): U.S. Department of Health and Human Services	Yes
Agency(ies) within your state: Department of Behavioral Health and Developmental Disabilities	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: Through incorporation of the SPF into its alcohol initiative, the Office of Prevention Services and Programs (OPSP) became strategic about prevention services and programs being provided in Georgia and looks to increase utilization of evidence-based programs, practices, and policies. This will allow OPSP to target our services, show outcomes in our communities, and ensure long-term sustainability of evidence-based substance use/abuse prevention efforts. This model requires target communities to develop and implement strategies aimed at population-level change using the public health model approach. By adopting the SPF process and the public health model, target communities would use a comprehensive approach to develop and implement sustainable outcome-based prevention strategies. OPSP will also be utilizing the Surgeon General’s Call to Action To Prevent and Reduce Underage Drinking to assist in continuing to develop best practice standards.	

Additional Clarification	
No data	

State Interagency Collaboration	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<i>Committee contact information:</i>	
Name: Margie Irizarry-DeLaCruz	
E-mail: midelacruz1@dhr.state.ga.us	
Address: 2 Peachtree NW, Atlanta, GA 30303	
Phone: No data	
<i>Agencies/organizations represented on the committee:</i>	
Department of Behavioral Health and Developmental Disabilities	
The Council on Alcohol and Drugs	
Maternal Substance Abuse and Child Development Project, Emory University	
Georgia State University	
Clinic for Education, Treatment, and Prevention of Addiction, Inc. (CEPTA)	
Georgia Department of Revenue, Alcohol and Tobacco Division	
Drug Enforcement Administration	
Carl Vinson Institute of Government, University of Georgia	
<i>A website or other public source exists to describe committee activities</i>	No
URL or other means of access: Not applicable	

Underage Drinking Reports	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Department of Behavioral Health and Developmental Disabilities/ Office of Prevention Services and Programs	
Plan can be accessed via: http://www.ga-sps.org	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	No
Prepared by: Not applicable	
Plan can be accessed via: Not applicable	
Additional Clarification	
No data	

State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2013
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2013
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2013
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2013
<i>Other programs:</i>	
Programs or strategies included:	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2013

Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other:	No data
<i>Description of funding streams and how they are used:</i>	
Not applicable	

Additional Clarification

To address the negative impact of alcohol use in Georgia, the state Office of Prevention Services and Programs developed the Georgia Strategic Prevention System (GASPS) alcohol initiative utilizing SAMHSA Substance Abuse Prevention and Treatment (SAPT) Block Grant funding. This initiative aims to impact population-level change of behaviors and trends of alcohol use and abuse among youth and young adult's ages 9 to 25. GASPS will use the SAMHSA/CSAP SPF model to develop and implement strategies aimed at population-level change using the public health model approach. The objective of this initiative is to implement statewide primary prevention strategies (programs/practices/policies) consistent with needs as identified by epidemiological data with the following goals:

- Reduce early onset of alcohol use among 9- to 20-year-olds
- Reduce access to alcohol and binge drinking among 9- to 20-year-olds
- Reduce binge drinking and heavy drinking among 18- to 25-year-olds